

T 25 2004 11:40 FR HAS BOSTON 30 3

TO 99512426

P.05/12

FROM FLANSBURGH ASSOCIATE

(FRI) 10 22 2004 10:23/ST. 10:23/NO. 511

FLANSBURGH ASSOCIATES

07 November 2003

Mr. Wayne Capolupo  
Chairman of Lawrence Building Committee  
SPS New England, Inc.  
98 Elm Street  
Salisbury, MA 01952

RE: Eastern Contractors Bid Submission

Dear Mr. Capolupo,

As outlined in the Project Manual Volume No. 1 of the bid documents, "Instructions to Bidders", paragraph 1.12 Method of Award, Flansburgh Associates, Inc. has completed its review of Eastern Contractors bid submission based on the Method of Award.

Flansburgh Associates, Inc. has adhered to the term "lowest responsible and eligible bidder" as defined in the provisions of Chapter 149, Sections 44A through 44F; as well as the "Instructions to Awarding Authorities" as outlined in the update statement instructions of the Division of Capital Asset Management.

We have reviewed Eastern Contractors Certificate of Eligibility at the DCAM office in addition to Eastern's evaluation forms based on the requirements listed above. We have also reviewed Eastern Contractor's update statement, the City of Worcester letter dated March 26, 2003, Heery International's letter dated March 19, 2003, and Macomber's letter dated October 29, 2003.

As was reported on October 29, 2003 at the Lawrence School Building Committee meeting, our preliminary findings for the three bidders were as follows:

Comparative Criteria	Firm Names		
	Eastern Contractors Inc.	George B.H. Macomber Co.	Suffolk Construction
1. Quality of Work	Above Average	Above Average	Average
2. Performance and Accountability	Average	Above Average	Average
3. Subcontractor (project) Management	Average	Above Average	Above Average
4. Construction Procedures	Below Average	Above Average	Average
5. Change Orders	Average	Average	Average
6. Working Relationships	Above Average	Above Average	Above Average
7. Paperwork Processing	Below Average	Above Average	Average
8. On-site Supervisory Personnel Rating	Average	Average	Average
Average DCAM Rating	91	92	87
Note: Based on random selection of DCAM rated projects for evaluation purposes only.			

Architecture  
Master Planning  
Programming  
Interior Design

Principals  
David S. Soltau, AIA  
Alan S. Ross, AIA  
Duncan R. McClelland, AIA  
Sidney R. Bowen, III

Chairman  
Earl R. Flansburgh, FAIA, NAA

Senior Associates  
Samuel Bick, AIA  
Jorge M. Cruz, AIA  
Rose M. Fiore, Assoc. AIA

Associates  
Valerie M. Curcio  
David R. DeFilippo, AIA  
Viviana E.J. Dubé, AIA  
James A. Highum, AIA  
Peter W. Lambert  
Thomas J. Mueller, AIA  
Dominic L. Padella, Assoc. AIA  
Robert B. Peirce, AIA  
James B. Williams, Jr., AIA

9248

File  
Per: Lamm  
Cheney

RM

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FROM FLANSBURGH ASSOCIATE

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## FLANSBURGH ASSOCIATES

g) - Paperwork Processing	DCAM	Contact	Comments
1. Triven Regional Jr./Sr. High School, Weyfield, Ma.	Average	Flansburgh Associates	Good
2. Diamond & Clark Middle Schools, Ludlow, Ma.	-	HR/PT	Very Good
3. Trumbull Elementary School, Trumbull, Ma.	-	Carol Bink	Good
4. West Thurston Elementary School, Thurston, Ma.	-	Karen	Good
5. Holliston High School, Holliston, MA	-	McGarry Group	Good
6. Van Stickle School, Springfield, Ma.	-	Carol Bink	Good
7. Fremont R/G. Jr. High School, Lowell, Ma.	-	DFA, Inc.	Good/Community Complete and Present
8. Concord Middle School, Concord, Ma.	-	Kenneth Bess Ames	Fair
9. South Street Elementary School, Waltham, Ma.	Average	Flansburgh Associates	Good

DCAM Question - Rate the contractors performance in completing and processing paperwork.

g) - On-Site Supervisory Personnel	DCAM	Contact	Comments
1. Triven Regional Jr./Sr. High School, Weyfield, Ma.	Average	Flansburgh Associates	Good/Very Impressed
2. Diamond & Clark Middle Schools, Ludlow, Ma.	Above Average	HR/PT	Very Good
3. Trumbull Elementary School, Trumbull, Ma.	-	Carol Bink	Good
4. West Thurston Elementary School, Thurston, Ma.	-	Karen	Good
5. Holliston High School, Holliston, MA	-	McGarry Group	Good
6. Van Stickle School, Springfield, Ma.	-	Carol Bink	Good
7. Fremont R/G. Jr. High School, Lowell, Ma.	-	DFA, Inc.	Very Good
8. Concord Middle School, Concord, Ma.	-	Kenneth Bess Ames	Understand the Service/Peer Collaboration
9. South Street Elementary School, Waltham, Ma.	Average	Flansburgh Associates	Good/Very Impressed

DCAM Question - Rate the general performance of the contractors on the supervisory personnel.

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# FLANSBURGH ASSOCIATES INCOMPLETE PROJECTS

1 - Quality of Work -	DCAM	Contract	Comments
1. Greenfield Public Schools, Fall River, Ma.	-	Mr. Vernon Group	Recovered from Slip Issues/Project back on Schedule
2. Weymouth Elementary School, Lawrence, Ma.	-	Flansburgh	
3. Lynnfield Middle School, Lynnfield, Ma.	-	Architectural Involvement	Very Good
4. Norwood Middle School, New Bedford, Ma.	-	Mr. Vernon Group	Generally Good
5. Methuen High School, Methuen, Ma.	-	University of Cambridge	Good
6. New Orleans High School, Chicago, Ma.	-	Mr. Vernon Group	Generally Good
7. Add. & Ren. Framingham H.S., Framingham, Ma.	-	OnSite Design Partnership	
8. Lincoln Regional High School, Sudbury, Ma.	-	M. Rosenfield Inc.	Good
9. Algonquin Regional High School, Waltham, Ma.	-	Stratensky & Risk Inc.	

DCAM Question - Rate the quality of the work, problems attributable to the contractor and their cooperation in resolving the problem.

2 - Project Management a) - Scheduling	DCAM	Contract	Comments
1. Greenfield Public Schools, Fall River, Ma.	-	Mr. Vernon Group	Could have been more Aggressive with PM Sub-Trade Schedule
2. Weymouth Elementary School, Lawrence, Ma.	-	Flansburgh	
3. Lynnfield Middle School, Lynnfield, Ma.	-	Architectural Involvement	Very Good/Almost on Schedule
4. Norwood Middle School, New Bedford, Ma.	-	Mr. Vernon Group	Work Finished
5. Methuen High School, Methuen, Ma.	-	University of Cambridge	Delays Caused by Poor Scheduling with the PM Sub-Trade
6. New Orleans High School, Chicago, Ma.	-	Mr. Vernon Group	Good
7. Add. & Ren. Framingham H.S., Framingham, Ma.	-	OnSite Design Partnership	
8. Lincoln Regional High School, Sudbury, Ma.	-	M. Rosenfield Inc.	Generally Good
9. Algonquin Regional High School, Waltham, Ma.	-	Stratensky & Risk Inc.	

DCAM Question - Rate the contractors performance regarding contract schedule, was it met, were delays attributable to the Contractor.

b) - Subcontractor Management	DCAM	Contract	Comments
1. Greenfield Public Schools, Fall River, Ma.	-	Mr. Vernon Group	Unforeseen Site Contamination/Delay with PM Sub-Trade
2. Weymouth Elementary School, Lawrence, Ma.	-	Flansburgh	
3. Lynnfield Middle School, Lynnfield, Ma.	-	Architectural Involvement	Very Good/Almost on Schedule
4. Norwood Middle School, New Bedford, Ma.	-	Mr. Vernon Group	Poor Sub-contractor Scheduling
5. Methuen High School, Methuen, Ma.	-	University of Cambridge	Unforeseen Site Issues/On Schedule
6. New Orleans High School, Chicago, Ma.	-	Mr. Vernon Group	Good
7. Add. & Ren. Framingham H.S., Framingham, Ma.	-	OnSite Design Partnership	
8. Lincoln Regional High School, Sudbury, Ma.	-	M. Rosenfield Inc.	Good Site PM, Aggressive/On Schedule Site Cont. problems
9. Algonquin Regional High School, Waltham, Ma.	-	Stratensky & Risk Inc.	ECI took over Site/Project on Schedule

DCAM Question - Rate this contractor's ability, effort, and success in managing and coordinating subcontractors.

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## FLANSBURGH ASSOCIATES

c) - Safety & Housekeeping	DCAM	Contact	Comments
1. Orono-Borden Schools, Fall River, Ma.	-	Mt Vernon Group	Very good - No serious safety incidents.
2. Weymouth Elementary School, Lawrence, Ma.	-	Flansburgh	-
3. Ipswich Middle School, Ipswich, Ma.	-	Architectural Services	Very Good
4. Norwood Middle School, New Bedford, Ma.	-	Mt Vernon Group	Good
5. Melrose High School, Melrose, Ma.	-	Perkins & Associates	Good
6. New Chatham High School, Chatham, Ma.	-	Mt Vernon Group	Good
7. Add. & Ren. Framingham H. S., Framingham, Ma.	-	DeSign Design Partnership	-
8. Lincoln Sudbury Regional High School, Sudbury, Ma.	-	Mt Rossmore Inc.	Good
9. Abington Regional High School, Waltham, Ma.	-	Strohbecker & Holt Inc.	-

DCAM Question - Rate the contractor safety and housekeeping procedures. Were there any OSHA violations or serious accidents?

d) - Change Order	DCAM	Contact	DW GC reasonably states change orders / notes
1. Orono-Borden Schools, Fall River, Ma.	-	Mt Vernon Group	Very good/Pricing was reasonable.
2. Weymouth Elementary School, Lawrence, Ma.	-	Flansburgh	-
3. Ipswich Middle School, Ipswich, Ma.	-	Architectural Services	Fair/Not Aggressive on CO
4. Norwood Middle School, New Bedford, Ma.	-	Mt Vernon Group	Reasonable
5. Melrose High School, Melrose, Ma.	-	Perkins & Associates	Fair on CO
6. New Chatham High School, Chatham, Ma.	-	Mt Vernon Group	Fair
7. Add. & Ren. Framingham H. S., Framingham, Ma.	-	DeSign Design Partnership	-
8. Lincoln Sudbury Regional High School, Sudbury, Ma.	-	Mt Rossmore Inc.	Fair
9. Abington Regional High School, Waltham, Ma.	-	Strohbecker & Holt Inc.	-

DCAM Question - Did this Contractor unreasonably state change orders, was the pricing reasonable.

e) - Working Relations	DCAM	Contact	Comments
1. Orono-Borden Schools, Fall River, Ma.	-	Mt Vernon Group	Very Good/PM related well with Owner/Designer (within difficult atm)
2. Weymouth Elementary School, Lawrence, Ma.	-	Flansburgh	-
3. Ipswich Middle School, Ipswich, Ma.	-	Architectural Services	Excellent / Very Cooperative with Client/Designer
4. Norwood Middle School, New Bedford, Ma.	-	Mt Vernon Group	Generally good
5. Melrose High School, Melrose, Ma.	-	Perkins & Associates	Good
6. New Chatham High School, Chatham, Ma.	-	Mt Vernon Group	Generally good working close with help process
7. Add. & Ren. Framingham H. S., Framingham, Ma.	-	DeSign Design Partnership	-
8. Lincoln Sudbury Regional High School, Sudbury, Ma.	-	Mt Rossmore Inc.	Generally good
9. Abington Regional High School, Waltham, Ma.	-	Strohbecker & Holt Inc.	-

DCAM Question - Rate this contractor's working relations with the designer, owner, etc., did they conduct themselves in a professional manner.

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FROM FLANSBURGH ASSOCIATE

(FRI)10 22 2004 10:26/ST. 10:28/NO. 5112765215 P 8

## FLANSBURGH ASSOCIATES

1) - Paperwork Processing	DCAM	Comment	Comments
1. Oronoke Valley Schools, Fall River, Ma.	-	Mt Vernon Group	Good - Reasonably complete & prompt
2. Whitcomb Elementary School, Levenson, Ma.	-	Flansburgh	-
3. Lenoxfield Middle School, Lenoxfield, Ma.	-	Architectural Revolution	Very Good
4. Norwanda Middle School, New Bedford, Ma.	-	Mt Vernon Group	Generally Good
5. Mathew High School, Methuen, Ma.	-	Partnership of Cambridge	Good
6. New Chatham High School, Chatham, Ma.	-	Mt Vernon Group	Good
7. Add. & Res. Framingham H.S., Framingham, Ma.	-	DRS Design Partnership	-
8. Lincoln Regional High School, Sudbury, Ma.	-	M. Russellfield Inc.	Good
9. Algonquin Regional High School, Woburn, Ma.	-	Stratford & Hale Inc.	-

DCAM Question - Rate the contractor's performance in completing and processing paperwork.

2) - On-Site Supervisory Personnel	DCAM	Comment	Comments
1. Oronoke Valley Schools, Fall River, Ma.	-	Mt Vernon Group	Very Good/PM able to move project appropriately
2. Whitcomb Elementary School, Levenson, Ma.	-	Flansburgh	-
3. Lenoxfield Middle School, Lenoxfield, Ma.	-	Architectural Revolution	Site
4. Norwanda Middle School, New Bedford, Ma.	-	Mt Vernon Group	Pro was not focused on this project - consumed on multiple projects
5. Mathew High School, Methuen, Ma.	-	Partnership of Cambridge	Good Site PM/Field Site-Coord. that was not performed made-up last time
6. New Chatham High School, Chatham, Ma.	-	Mt Vernon Group	Good
7. Add. & Res. Framingham H.S., Framingham, Ma.	-	DRS Design Partnership	-
8. Lincoln Regional High School, Sudbury, Ma.	-	M. Russellfield Inc.	Good Site PM/Make sure PMs do not perform multiple duties
9. Algonquin Regional High School, Woburn, Ma.	-	Stratford & Hale Inc.	-

DCAM Question - Rate the general performance of the contractor on the supervisory personnel.

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FROM FLANSBURGH ASSOCIATE

(FRI)10 22 2004 10:25/ST. 10:29/NO. 5112755218 P 9

**FLANSBURGH ASSOCIATES****Conclusion:**

1. Eastern Contractors' Certificate of Eligibility is current. Issues outlined in the City of Worcester's letter and Heery International's letter have been addressed in their June 2003 certificate.
2. Eastern's update statement information is correct and executed in accordance with DCAM requirements with only one item to be addressed by Eastern Contractors.
3. Part 3 - Project Performance, Question C; "Has your firm failed or refused to complete any punchlist work under any contract?" Eastern's answer is "No". Our review of the update statement found various projects that had incomplete punchlists. Even though not a single contract indicated that Eastern failed or refused to complete punchlists, we requested a further explanation from Eastern Contractors regarding their answer on Question No. 3. (See attached letter)
4. Concerning the question of schedule adherence - Our review found Eastern to be average, no better and no worse than their counterparts in public construction projects. In the cases we reviewed, delays in schedules were adjusted with time extensions granted by the awarding authorities without penalty to Eastern Contractors.
5. Regarding the issue of change orders - Our review found Eastern to be average, no better and no worse than their counterparts in public construction projects.
6. Concerning the question of final completion - Our review found Eastern to be below average, worse than their counterparts in achieving punchlist completion within 60 days of substantial completion and failing to achieve final completion within contract requirements. However, we did not find any instance in which Eastern Contractors abandoned its responsibilities for final completion.
7. Concerning the question of supervision - Our review found Eastern's personnel outlined in their bid for the project to be above average.
8. The issues outlined in the City of Worcester letter and Heery International letter have been adequately resolved with the issuance of Eastern's current Certificate of Eligibility.
9. This final report clearly addresses the bidder eligibility and addresses for the City items raised in the Macomber letter.

Based on our review and analysis of Eastern Contractors bid we find:

- A. Eastern Contractors possess the skill, ability and integrity necessary to faithfully perform the work.
- B. Eastern Contractors Inc. is the lowest responsible and eligible bidder.
- C. The awarding authority has included provisions within the Owner/Contractor contract to manage the concerns over schedule, performance, change orders, punchlist completion and final completion for the project.
- D. Eastern Contractors bid for construction amount for the contract although 7 % below the second bidder does not invalidate their bid.

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FROM FLANSBURGH ASSOCIATE

(FRI) 10 22 2004 10:27/ST. 10:23/NO. 5112765215 P 10

FLANSBURGH ASSOCIATES

Based on our determination, the City of Lawrence should award Eastern Contractors Inc., as the lowest responsible and eligible bidder, the contract for constructing the new Lawrence High School.

Sincerely,

FLANSBURGH ASSOCIATES, INC.



Jorge M. Cruz, AIA  
Senior Associate

CC: Doreen Zankowski  
George Collins  
Earl R. Flansburgh  
Dominic Pedulla